

No. 17-4136

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

MICHAEL D. GABOR,  
Petitioner-Appellant,

V.

UNITED STATES OF AMERICA,  
Respondent-Appellee.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**FILED**

May 07, 2018

DEBORAH S. HUNT, Clerk

O R D E R

Before: GUY, COOK, and DONALD, Circuit Judges.

Michael D. Gabor, a pro se federal prisoner, moves the court to review its February 7, 2018, order denying his application for a certificate of appealability pursuant to Rule 27(c) of the Federal Rules of Appellate Procedure. Rule 27(c) states that “[t]he court may review the action of a single judge.” We therefore construe Gabor’s Rule 27(c) motion as a petition for panel rehearing under Rule 40 of the Federal Rules of Appellate Procedure. Gabor’s petition does not show that the court overlooked or misapprehended a point of law or fact in denying his application for a certificate of appealability. *See* Fed. R. App. P. 40(a)(2).

Accordingly, we **DENY** Gabor's petition.

ENTERED BY ORDER OF THE COURT

Rich L. Hunt

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Deborah S. Hunt, Clerk